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August 29, 2011

By ECF Filing

Hon. Katharine S. Hayden
United State District Court
Frank R. Lautenberg U.S. Post Office & Courthouse Building
Chambers 311
P.O. Box 999
Newark, New Jersey 07101-0999

Re: Virtual Studios, Inc. vs. Royalty Carpet Mills, Inc.
Docket No. 2:11-CV-00623-KSH-PS
Our File No. RQ13287

Dear Judge Hayden:

Our office represents the plaintiff, Virtual Studios, Inc., in the above matter. This matter has been listed on a call for dismissal before Your Honor returnable Wednesday, August 31, 2011. I am submitting this letter to respectfully request that if Your Honor does enter a dismissal order it not take effect for two (2) weeks to allow submission of proof of service within that two week time frame and in the event such proof is provided the order will be void. Our reasons for this request are set forth below.

Months ago we provided the defendant, Royalty Carpet Mills, Inc., with a Waiver of Service of Summons. Soon thereafter we were contacted by their counsel who indicated that he had received the waiver. We had some discussions during which we were told that defendant's counsel would return the signed waiver. However, the waiver was never returned to date.

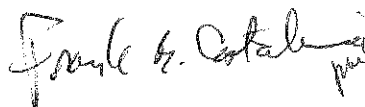
Over the last ten days we have attempted on a number of occasions unsuccessfully to contact Royalty's counsel and requested by email that the signed waiver be returned so that we could file it with the court.

When, by last Friday, August 26, the waiver had not been returned we instructed process servers to serve the Summons and Complaint at Royalty's main place of business in Irvine, California.

We have no guarantee that service will be effected before August 31st and that the court could be properly notified thereof by that date. Accordingly, we respectfully request that Your Honor extend the period of the call for dismissal for two (2) weeks to assure that we have had the opportunity to effect service.

Thank you for consideration of our request.

Respectfully,

A handwritten signature in black ink, appearing to read "Frank E. Catalina", with a stylized flourish at the end.

Frank E. Catalina

FEC:dm